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AU Optronics Corporation and  
AU Optronics Corporation America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: TFT-LCD (FLAT PANEL)  
ANTITRUST LITIGATION

Master File No. 3:07-md-1827 SI  
MDL No. 1827

This Document Relates To:  
INDIRECT PURCHASER CLASS  
ACTION

**STIPULATION AND ~~PROPOSED~~  
RECOMMENDATION AND ORDER  
REGARDING AUO PROPOSED  
EXPERT WITNESSES**

Indirect Purchaser Class Plaintiffs ("Plaintiffs") and Defendants AU Optronics Corporation and AU Optronics Corporation America (collectively, "AUO") hereby stipulate as follows:

WHEREAS AUO intends to call certain expert witnesses to testify in its defense in the action entitled *United States v. AU Optronics Corp., et al.*, Case No. CR-09-0110 (SI) (hereafter "the Criminal Case") and seeks to call those same expert witnesses (hereafter "Proposed Expert Witnesses"), or some of them, to testify in the above-captioned action;

1 WHEREAS the parties seek to make mutually agreeable and orderly arrangements  
2 for disclosure of the Proposed Expert Witnesses and discovery regarding their proposed  
3 testimony, such arrangements to be scheduled later than the deadlines set forth in the Order  
4 re: Pretrial and Trial Schedule (Dkt. 2165);

5 NOW, THEREFORE, Plaintiffs and AUO, through their undersigned respective  
6 counsel, stipulate and request that the Special Master recommend as follows:

7 1. Within five days after disclosing its Proposed Expert Witnesses in the  
8 Criminal Case, AUO will provide Plaintiffs with the names of any of those Proposed Expert  
9 Witnesses whom it intends to call to testify in the above-referenced action, as well as the  
10 subjects of anticipated testimony, and any disclosures AUO has made in the Criminal Case  
11 regarding those experts. AUO will serve Plaintiffs with any further disclosures made  
12 regarding those experts in the Criminal Case.

13 2. At the time the Proposed Expert Witness testifies in the Criminal Case (or  
14 within five days after the Court enters an order excluding the testimony), AUO will produce  
15 the expert's Rule 26 civil disclosures to Plaintiffs in accordance with the Federal Rules and  
16 this Court's prior orders governing expert disclosures. Expert depositions will be scheduled  
17 in San Francisco within two weeks after the reports are produced.

18 3. Plaintiffs shall designate rebuttal experts, if any, and produce Rule 26  
19 disclosures for such experts within six weeks after the report of each Proposed Expert  
20 Witness is received, but in any event no later than 14 days before trial.

21 4. With regard to the disclosures, reports and depositions anticipated by  
22 Paragraphs 2 and 3, the parties will meet and confer in an effort to expedite the process,  
23 including consideration of whether certain reports or depositions can be eliminated. Both  
24 parties will cooperate informally in providing information about the underlying data and  
25 analyses used in the reports.

26 5. Unless explicitly stated, nothing in this Stipulation and Order is intended to  
27 modify any other Order of the Court or the Special Master, including without limitation the

Order re: Pretrial and Trial Schedule filed Nov. 23, 2010 (Dkt. no. 2165 and 2165-1), nor does this Order prevent any party from seeking further modifications to that or any other Order.

Dated: August 26, 2011

NOSSAMAN LLP

By: /s/ Carl L. Blumenstein  
Carl L. Blumenstein  
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Optronics Corporation America

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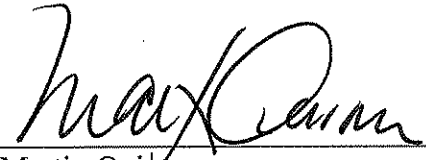
By: /s/ Joseph M. Alioto  
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By: /s/ Francis O. Scarpulla  
Francis O. Scarpulla  
Co-Lead Counsel for Indirect Purchaser Plaintiffs

**IT IS SO RECOMMENDED.**

Dated Entered: 9/2/11

  
Martin Quinn  
Special Master

1 IT IS SO ORDERED.

2  
3 Dated Entered: 9/7/11



The Honorable Susan Y. Illston  
District Court Judge

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5  
6 **ATTESTATION**

7 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the  
8 filing of this document has been obtained from Joseph M. Alioto and Francis O. Scarpulla.